

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001

03 MDL 1570 (GBD) (FM)
ECF Case

This document relates to:

Ashton et al. v. al Qaeda Islamic Army, et al., 02-cv-6977 (GBD)(FM)

JAMES P. KREINDLER, Esq., hereby states under penalty of perjury that:

1. I am an attorney representing the *Ashton* plaintiffs in the above-captioned litigation and I submit this declaration in support of the motion for final judgment on behalf of the individual plaintiffs attached hereto as Exhibit A, and for permission to allow the remaining *Ashton* plaintiffs to move for the same relief in separate stages.

2. The source of my information and the basis for my belief in my statements contained herein are my personal involvement in this matter, my firm's representation of the *Ashton* plaintiffs listed in Exhibit A in connection with the September 11th litigation against airline defendants, other court records relating to the multi-district litigation to which the *Ashton* plaintiffs are parties and conversations had with family members to the *Ashton* plaintiffs. Any matters about which I lack personal knowledge are asserted herein upon information and belief.

3. All of the decedents listed in Exhibit A died in the September 11th terrorist attacks and are survived by the family members whose relationships to the decedents are described in Exhibit A.

4. The family members listed in Exhibit A opted not to seek compensation through the September 11th Victim Compensation Fund ("VCF") and instead proceeded against airline defendants in litigation. No VCF award was issued to any survivor of the decedents listed in

Exhibit A.

5. In connection with the litigation against the airline defendants on behalf of the families of the decedents listed in Exhibit A, I and other attorneys in my firm retained the services of economic experts to calculate the economic loss attributable to the wrongful death of each decedent as of the time of that litigation.

6. Attached hereto as Exhibit B are true and accurate copies of the economic expert reports previously prepared in connection with litigation against airline defendants arising out of the deaths of the individuals listed in Exhibit A.

7. To update the economic loss figures previously calculated by economic experts, I retained the services of Matthew Johnson.

8. Mr. Johnson is a candidate for a Ph.D. in economics from Boston University. Mr. Johnson has a bachelor's degree in economics from the University of California, Berkeley. He will be starting a position as a postdoctoral scholar at the Sanford School of Public Policy at Duke University as of July 1. He has received several fellowships and awards, including the 2015-2016 Pre-Doctoral Fellowship in Disability Policy from the National Bureau of Economic Research; the 2014 Outstanding Paper Award, from the Alliance for Research on Corporate Sustainability; and a 2012: National Science Foundation Graduate Research Fellowship. He has co-authored several articles and book chapters. Mr. Johnson A copy of Mr. Johnson's *curriculum vitae* is attached to the updated calculations that he provided.

9. Mr. Johnson brought the present value of the previously calculated estimated economic loss up to date as of May 1, 2016. Attached hereto as Exhibit C are copies of Mr. Johnson's calculations and description of his methodology.

10. The economic loss figure set forth in the table attached as Exhibit A represents the

present value (based on the calculations attached in Exhibit C) of the estimated economic loss previously calculated by the economic experts retained in connection with the lawsuits arising from the wrongful death of each decedent listed in Exhibit A (with those original reports attached hereto as Exhibit B).

11. We are in the process of obtaining economic loss information for the other *Ashton* decedents and will submit motions for summary judgment as that information becomes available.

Dated: June 8, 2016
New York, NY

/s/ James P. Kreindler
James P. Kreindler